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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/288,351	04/08/1999	KOJI OKAMURA	1232-4534	7376

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MORGAN & FINNEGAN, L.L.P.
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NEW YORK, NY 10281-2101

EXAMINER

SMITH, CREIGHTON H

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 11/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

288351

Applicant(s)

OKAMURA, Koshi

Examiner

Smith, C.H.

Group Art Unit

2645

---The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address---

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-15 is/are pending in the application.
- Of the above claim(s) 16-30 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-5, 9-15 is/are rejected.
- ☒ Claim(s) 6-8 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 9-12, 15, are rejected under 35 U.S.C. 102(b) as being anticipated by Szlam .

Szlam discloses in col. 11, lines 10-15, his apparatus is for activating central office call forwarding equipment from a remote location. In col. 12, lines 1-10, Szlam discloses that the user of the remote call forwarding will go off-hook and enter a predetermined code, e.g., "73#", followed by the digits corresponding to the destination number. Szlam's call forwarding is initiated at a central office (CO), which is part of the public communication network. Szlam meets applicant's reception means at the CO when the user enters the code "73#", and the requesting means is the telephone number that the incoming telephone call is to be forwarded to.

Szlam discloses in cols. 11 & 12, lines 58-60 & 1-5, that the control unit (11) allows the user to dial digits indicating that a predetermined sequence of digits constituting a command to the preferred embodiment will follow. Line interface (22) goes off-hook and the predetermined code recognized by the central office (73#) is provided over the line, followed by the digits corresponding to the destination number. This meets applicant's

limitation of " a caller identification information notifying service", and also what is disclosed in the spec. on page 6, lines 24-25.

Claims 1-5, 9-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Begeja et al, Orui, Tonnby et al, Wong et al, Mark, or O'Neal et al.

Begeja et al disclose a remote call forwarding feature that is associated with a PBX (101) or a Central Office (CO-402), which the CO is in the public communications network. In order to remotely forward a call, the user will dial a feature code, e.g., "*37", col. 3, lines 50-55. Once the subscriber's phone is turned on the phone will transmit its Mobile Identification Number (MIN) and Electronic Serial Number (ESN) to the CO to let the CO know what phone number to forward the incoming phone call to. Top of col. 4 Begeja et al disclose that the SCP 106 recognizes the feature code as a request to invoke a special feature, specifically a remote call forwarding feature.

Orui also does a remote call forwarding feature at col. 1, lines 61-65, where Orui discloses that her invention is for forwarding a destination number for a phone's terminal from a remote location. Orui's apparatus works by registering a verification code, e.g., "123456" from a phone terminal that is requesting the call forwarding service, then Orui registers the phone number of the telephone terminal and a forwarding telephone number to which calls are to be forwarded to. Orui registers his forwarded to telephone number by pushbutton DTMF dialing, col. 2, lines 1-23. Orui discloses in col. 3, lines 50-53 that the remotely located switch 12 is connected to switch 11 through a dedicated line or a public network.

In Tonnby et al see col. 8, lines 20-53, and shows an ISDN (3).

The remarks concerning Wong et al, Mark, or O'Neal et al are incorporated by reference from papers # 19 and 23.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Creighton h Smith at telephone number 308-2488.

17 September '04



Creighton h Smith
Primary Examiner
Art Unit 2645